

10/549313

JC05 Rec'd PCT/PTO 16 SEP 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: Hitoshi IOCHI, et al.

Application No.: New PCT National Stage Application

Filed: September 16, 2005

For: SCHEDULING APPARATUS AND SCHEDULING METHOD

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents  
Washington, DC 20231

Dear Sir:

Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the art listed on the attached Form PTO 1449. Copies of the art cited in the International Search Report (ISR), which issued by the JPO, are made available to the U.S. examiner in the national stage application, pursuant to MPEP 1893.03(g), and therefore copies of such art are not submitted herewith. The art cited in the ISR is listed on the attached PTO-1449 for an indication of consideration by the examiner. Copies of any other references listed on the PTO-1449, besides those cited in the ISR, are submitted herewith. The "RI-031246 and "RI-031120" documents are discussed in the present application at page 4.

Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106.

Applicants respectfully request that this art be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

Respectfully submitted,



James E. Ledbetter  
Registration No. 28,732

Date: September 16, 2005

JEL/spp

ATTORNEY DOCKET NO. L9289.05177

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<p>FORM PTO-1449 U.S. Department of Commerce            (Rev. 4/92) Patent and Trademark Office</p> <p><b>INFORMATION DISCLOSURE            STATEMENT BY APPLICANT</b></p> <p>(Use several sheets if necessary)</p>	<p>ATTY. DOCKET NO.  <b>L9289.05177</b></p>	<p>SERIAL NO.  <b>New PCT Nat'l Stage Application</b></p>
<p>APPLICANT  <b>Hitoshi IOCHI, et al.</b></p>	<p>FILING DATE  <b>September 16, 2005</b></p>	<p>GROUP  <b>Unassigned</b></p>

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

## FOREIGN PATENT DOCUMENTS

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

PCT International Search Report dated May 17, 2005.

“Reference Node-B scheduler for EUL,” Qualcomm Europe, 3GPP TSG-RAN1 #35, Nov. 17-21, 2003, Lisbon, Portugal, R1-031246, pp. 1-5.

**“Text proposal: Node B Controlled Scheduling,” Ericsson, TSG-RAN WG1 #34, Seoul, Korea, Oct. 6-10, 2003, R1-031120, 3 pages.**

**EXAMINER:** Initial if citation is considered, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.